

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

CARLOS LINDSEY,

Plaintiff,

v.

LAVERN WALLACE,

Defendant.

ORDER

16-cv-743-jdp

Pro se plaintiff Carlos Lindsey, filed a motion asking the court for a copy of the trial transcripts from October 1 and 2, 2018. Dkt. 85.

These transcripts do not yet exist. If Lindsey is asking the court to prepare the transcripts at government expense under 28 U.S.C. § 753(f), then his motion is denied because Lindsey has not yet shown that he is indeed appealing the case. Lindsey must first file his notice of appeal before moving for preparation of trial transcripts.

Lindsey's deadline to file a notice of appeal expired on November 2, 2018. But because of Lindsey's misunderstanding regarding the trial transcripts, I will construe his motion as a motion for extension of time under Federal Rule of Appellate Procedure 4(a)(5). Lindsey may have until December 2, 2018, to file his notice of appeal.

ORDER

IT IS ORDERED that:

1. Plaintiff Carlos Lindsey's motion for a copy of jury trial transcripts, Dkt. 85, is DENIED.
2. Lindsey's deadline to file a notice of appeal is extended to December 3, 2018.

Entered November 6, 2018.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge